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June 17, 2016

VIA CM/ECF ONLY

Hon. Madeline Cox Arleo
United States District Judge
United States District Court, District of New Jersey
Martin Luther King, Jr. Federal Building & Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: Theodore Van Leer, et al. v. Invictus Asset Management LLC, et al.
U.S. District Ct. - D. NJ - Case No: 2:15-cv-01878-MCA-JBC

Theodore Van Leer, et al. v. David W. Schamens, et al.
U.S. District Ct. - D. NJ - Case No: 2:16-cv-00829-MCA-LDW

Dear Judge Arleo:

We are counsel for the plaintiffs, Theodore Van Leer, Caroline Van Leer, Anne M. Blanken, and Anne M. Blanken, as Trustee of the Credit Shelter Trust ("Plaintiffs"), in the above-referenced interrelated matters. We submit this letter to you to request a status conference and to remove obstacles that have stagnated the forward progress of both cases.

In the earlier-filed of the two cases (the "2015 Case"), several defendants (the "Schamens Defendants") filed a Motion to Dismiss on January 18, 2016 [Docket Entry No. ("DE") 35 -- 2015 Case]. The motion has been fully briefed for nearly four months, and the case will not proceed until the Court makes a ruling on the matter.

Likewise, in the later-filed case (the "2016 Case"), the Complaint was filed on February 15, 2016 [DE 1 -- 2016 Case]. None of the defendants (all of whom are defendants in the 2015 Case) filed a response to the Complaint, and Plaintiffs applied for entry of defaults against each of the defendants for their failure to timely respond or otherwise defend themselves. *See*, DE 4-13 -- 2016 Case. The defendants belatedly, requested that the defaults not be entered against them [DE 14]. Plaintiffs submitted to Your Honor a letter on April 4, 2016 [DE 15] addressing the need and propriety for entering the defaults, but no ruling has yet been made. Again, until a ruling is made on this gateway issue, the case will not proceed; and the parties will continue to persist in limbo.

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In light of the foregoing, Plaintiffs respectfully request that the Court conduct a status conference to address the outstanding requests for judicial relief in the 2015 Case and the 2016 Case so the parties may have their rights, duties, responsibilities, and obligations fairly adjudicated.

We thank the Court for its attention to this matter and look forward to appearing before Your Honor to advance these cases interrelated toward final adjudication.

Very Truly Yours,

/s/ Michael L. Braunstein
Michael L. Braunstein

cc: Adolfo J. Anzola, Esq. and David C. Silver, Esq. (*Co-Counsel for Plaintiffs*) (VIA CM/ECF)
David W. Schamens (VIA ELECTRONIC MAIL)
Dennis F. Gleason, Esq. (VIA ELECTRONIC MAIL)